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OFFICE OF PETITIONS

In re Patent No. 7,108,495 :
Issued: September 19, 2006 : DECISION ON APPLICATION
Application No. 09/967,224 : FOR PATENT TERM ADJUSTMENT
Filed: September 28, 2001 :
Atty. Dkt. No.: D0932-00252 :

This is a decision on the "APPLICATION FOR A REVISION OF THE PATENT TERM ADJUSTMENT," filed November 6, 2006. This matter is being properly treated as an application for patent term adjustment under 37 CFR 1.705(d).

The application for patent term adjustment (PTA) under 37 CFR 1.705(d) is **GRANTED TO THE EXTENT INDICATED HEREIN.**

The above-identified application matured into U.S. Patent No. 7,108,195 on September 19, 2006. The instant request for reconsideration was timely filed November 6, 2006 in accordance with 37 C.F.R. § 1.705(d). The patent issued with a PTA of 46 days. Patentees request that the adjustment be corrected to reflect an adjustment of 526 days.

A review of the calculation of adjustment reveals that at the time of issuance, an overall adjustment of 644 days can be attributed to the Office and an overall reduction of 77 days can be attributed to patentees.

An adjustment of 77 days under 37 CFR 1.702(a)(1) was accorded in connection with the mailing of the non-final Office action on February 13, 2003.

A further adjustment of 567 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(4). The adjustment began March 2, 2005, the day after the date that is four months after the date the issue fee payment was received, and ended September 19, 2006, the date the patent issued.

The adjustment totaling 644 days is reduced 31 days in accordance with 37 CFR 1.704(b) in connection with the reply filed June 13, 2003. The reduction began May 14, 2003, the day

after the date a reply was due, and ended June 13, 2003, the date a reply was filed.

The adjustment is further reduced one day in accordance with 37 CFR 1.704(b) in connection with the reply filed May 3, 2004. The reduction began May 3, 2004, the day after the date that a reply was due, and ended May 3, 2004, the date a reply was filed.

The adjustment is further reduced 43 days in accordance with 37 CFR 1.704(c)(10) in connection with the RCE submitted June 18, 2004. The reduction began June 18, 2004, the date the RCE was filed, and ended July 30, 2004, the date a reply thereto was mailed.

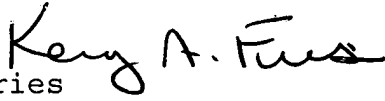
The adjustment is further reduced two days in accordance with 37 CFR 1.704(b) in connection with the reply filed November 1, 2004. The reduction began October 31, 2004, the day after the date a reply was due, and ended November 1, 2004, the date a reply was filed.

In view thereof, at the time of issuance, the application was entitled to an adjustment of 567 days (adjustments totaling 644 days less reductions totaling 77 days).

Receipt is hereby acknowledged of the required Patent Term Adjustment application fee of \$200.00.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 USC 154(b) by 567 days.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.


Kery Fries
Senior Patent Attorney
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

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CERTIFICATE OF CORRECTION

PATENT : 7,108,495 B2
DATED : September 19, 2006
INVENTOR(S) : Gilbert, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 46 days

Delete the phrase "by 46 days" and insert -- by 567 days--

Day : Friday
Date: 1/4/2008
Time: 11:37:18

PALM INTRANET

PTA Calculations for Application: 09/967224

Application Filing Date:	09/28/2001	PTO Delay (PTO):	77
Issue Date of Patent:	09/19/2006	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	31
Post-Issue Petitions:	0	Total PTA (days):	557
PTO Delay Adjustment:	511		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
72	01/04/2008	ADJUSTMENT OF PTA CALCULATION BY PTO	511		
67	09/19/2006	PATENT ISSUE DATE USED IN PTA CALCULATION			
66	08/18/2006	RECEIPT INTO PUBS			
65	08/07/2006	WORKFLOW - FILE SENT TO CONTRACTOR			
64	05/09/2006	EXPORT TO INITIAL DATA CAPTURE			
63	11/01/2004	ISSUE FEE PAYMENT RECEIVED			
62	11/10/2004	REVERSE ISSUE FEE			
61	11/10/2004	ISSUE FEE PAYMENT RECEIVED			
59	07/30/2004	MAIL NOTICE OF ALLOWANCE			
58	09/28/2001	REFERENCE CAPTURE ON IDS			
57	07/28/2004	ISSUE REVISION COMPLETED			
56	07/28/2004	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
55	07/26/2004	NOTICE OF ALLOWABILITY			
54	06/18/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
53	06/30/2004	DATE FORWARDED TO EXAMINER			
52	06/18/2004	REQUEST FOR CONTINUED EXAMINATION (RCE)			
51	06/30/2004	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			
48	06/18/2004	WORKFLOW - REQUEST FOR RCE - BEGIN			
47	06/18/2004	MAIL-RECORD PETITION DECISION OF GRANTED TO WITHDRAW FROM ISSUE - WITH ASSIGNED PATENT NO.			
46	06/18/2004	WITHDRAWAL PATENT CASE FROM ISSUE			
43	06/18/2004	PETITION ENTERED			

42	06/03/2004	ISSUE NOTIFICATION MAILED			
41	06/22/2004	PATENT ISSUE DATE USED IN PTA CALCULATION			
40	05/21/2004	RECEIPT INTO PUBS			
39	09/28/2001	WORKFLOW - DRAWINGS FINISHED			
38	05/03/2004	ISSUE FEE PAYMENT VERIFIED			
37	05/18/2004	APPLICATION IS CONSIDERED READY FOR ISSUE			
36	09/28/2001	WORKFLOW - DRAWINGS FINISHED			
35	05/03/2004	ISSUE FEE PAYMENT VERIFIED			
34	05/03/2004	MISCELLANEOUS INCOMING LETTER			
33	05/03/2004	ISSUE FEE PAYMENT RECEIVED			
32	04/12/2004	RECEIPT INTO PUBS			
31	02/24/2004	RECEIPT INTO PUBS			
30	02/23/2004	WORKFLOW - FILE SENT TO CONTRACTOR			
29	02/02/2004	MAIL NOTICE OF ALLOWANCE			
28	01/28/2004	ISSUE REVISION COMPLETED			
27	01/28/2004	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
26	01/28/2004	CASE DOCKETED TO EXAMINER IN GAU			
25	01/26/2004	NOTICE OF ALLOWABILITY			
24	11/25/2003	IFW AMENDED CASE PROCESSING COMPLETE			
23	11/25/2003	CLAIMS PTO			
22	11/21/2003	DATE FORWARDED TO EXAMINER			
21	11/12/2003	REQUEST FOR CONTINUED EXAMINATION (RCE)			
20	11/21/2003	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			
19	11/12/2003	WORKFLOW - REQUEST FOR RCE - BEGIN			
18	11/04/2003	MAIL ADVISORY ACTION (PTOL - 303)			
17	10/31/2003	ADVISORY ACTION (PTOL-303)			
16	10/27/2003	DATE FORWARDED TO EXAMINER			
15	10/14/2003	AMENDMENT AFTER FINAL REJECTION			
14	08/12/2003	MAIL FINAL REJECTION (PTOL - 326)			
13	08/07/2003	FINAL REJECTION			
12	06/23/2003	DATE FORWARDED TO EXAMINER			
11	06/13/2003	RESPONSE AFTER NON-FINAL ACTION		31	9
10	06/13/2003	REQUEST FOR EXTENSION OF TIME - GRANTED			

9	02/13/2003	MAIL NON-FINAL REJECTION	77		-1
8	02/10/2003	NON-FINAL REJECTION			
7	08/06/2002	CASE DOCKETED TO EXAMINER IN GAU			
6	09/28/2001	PRELIMINARY AMENDMENT			
5	09/28/2001	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
4	10/30/2001	APPLICATION DISPATCHED FROM OIPE			
3	10/29/2001	CORRESPONDENCE ADDRESS CHANGE			
2	10/12/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	09/28/2001	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | [Home page](#)